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ORACLE AMERICA, INC.

21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA
23 SAN FRANCISCO DIVISION

24 ORACLE AMERICA, INC.,
Plaintiff,
25 v.
26 GOOGLE INC.,
27 Defendant.

Case No. CV 10-03561 WHA
**ORACLE'S STATEMENT RE
AMENDMENT OF JUDGMENT**

1 As directed by the Court (ECF 2036), the parties met and conferred regarding amendment
2 of the Final Judgment (ECF 1989) pursuant to Rule 52(c). Oracle's view, and it understands that
3 Google agrees, is that Rule 52(c)—which covers findings after nonjury trials—has no application
4 here.

5 Oracle further contends that no amendment of the Final Judgment is otherwise warranted
6 absent a decision by the Court to vacate the judgment in light of Oracle's pending motions
7 pursuant to Rules 50(b) and 59. ECF Nos. 1993, 1997. As the Court has previously ruled (ECF
8 Nos. 1479 and 1781), it dismissed all of Oracle's other allegations without prejudice and Oracle
9 retains the right to file new proceedings on those allegations.

10 This statement is without prejudice to and without waiver of any claim of error.

11 Dated: August 25, 2016

Respectfully submitted,

Orrick, Herrington & Sutcliffe LLP

By: /s/ Annette L. Hurst

Annette L. Hurst

Counsel for ORACLE AMERICA, INC.